

KKB/TMH:chl 5/14/08 7896-72613-04 66553A
PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Van Winkle *et al.*

Application No. 10/509,691

Filed: May 8, 2005

Confirmation No. 3095

For: GENERATION OF PLANTS WITH
IMPROVED DROUGHT TOLERANCE

Examiner: Vinod Kumar

Art Unit: 1638

Attorney Reference No. 7896-72613-04

CERTIFICATE OF FACSIMILE

I hereby certify that this paper and the documents referred to
as being attached or enclosed herewith are being facsimile
transmitted to fax number (571) 273-8300 on the date
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Attorney or Agent
for ApplicantDate Transmitted May 14, 2008

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NOTICE OF APPEAL FROM THE EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicants hereby appeal to the Board from the decision of Examiner Vinod Kumar mailed November 14, 2007 (supplemented by the Advisory action mailed March 25, 2008), finally rejecting claims 1, 5-8, and 10-16.

A one-month extension fee was submitted with the filing of the Amendment and Response on March 12, 2008 and an additional two-month extension fee was submitted with the Supplemental Amendment and Response on May 2, 2008. Applicants do not believe that any additional extension of time is required for this Notice of Appeal.


Charge \$510.00 to Deposit Account No. 02-4550 for filing of this Notice of Appeal in accordance with 37 C.F.R. § 1.17(b). Please charge any additional fees that may be required in connection with filing this Notice of Appeal and any extension of time, or credit any overpayment, to Deposit Account No. 02-4550.

Respectfully submitted,

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